

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

EILEEN GRADY,

Plaintiff,

v.

C.A. NO: 05-10097-JGD

WAREHAM POLICE DEPARTMENT,
TOWN OF WAREHAM,
THOMAS JOYCE, and
MICHAEL J. HARTMAN

Defendants.

JOINT MOTION TO AMEND THE SCHEDULING ORDER

The parties hereby jointly move to amend the Scheduling Order in this case by: (1) extending the discovery deadline (including document requests) by three months to January 31, 2006; and (2) rescheduling the pretrial conference to February 7, 2006. In support of this Motion, the parties state the following:

1. This action was filed on January 14, 2005.
2. The current Scheduling Order provides that the discovery deadline is October 31, 2005.
3. The current Scheduling Order provides that depositions will be taken between June 1, 2005 and October 31, 2005.
4. The pretrial conference is currently scheduled for November 7, 2005, at 10 a.m.
5. On May 11, 2005, Plaintiff filed a Motion For Leave To Amend Her Complaint ("Motion For Leave") with the Court so that she could add counts of retaliation to the Complaint arising out of facts that, for the most part, occurred after the filing of this action. On May 31, 2005, Plaintiff's Motion For Leave was allowed, and Plaintiff promptly filed her Amended Complaint with the Court. On June 2, 2005, Defendants filed their Answer to the Amended Complaint.

After receipt of the Answer to the Amended Complaint, Plaintiff served further discovery requests related to her retaliation claims.

6. The parties have engaged in a significant amount of written discovery. Interrogatories have been served and answered. Requests for documents have been served, and documents have been produced; however, Plaintiff is required to file a motion to compel Defendants to produce certain documents.

7. The depositions of the Defendants were noticed (as well as the depositions of other witnesses). Before taking these depositions, Plaintiff requires production of all documents responsive to her requests. Accordingly, the depositions have been postponed until a mutually convenient time after the Court rules on Plaintiff's motion to compel.

8. Plaintiff's first day of deposition has been scheduled for October 27, 2005; counsel for Defendants anticipates that the deposition will continue on one or more mutually agreeable future dates.

9. The parties would be unfairly prejudiced if they were not given adequate time to prosecute and defend the claims in this action and to conduct any discovery deemed necessary.

10. On the other hand, no prejudice will inure to the parties from the allowance of this Motion.

11. The parties believe that enlarging time to complete discovery will be in their interest as well as the interest of justice.

WHEREFORE, in order to have sufficient time to complete discovery, the parties jointly request that the Scheduling Order be amended in this case by: (1) extending the discovery deadline (including document requests) by three months to January 31, 2006; and (2) rescheduling the pretrial conference to February 7, 2006.

Respectfully submitted,

Plaintiff, Eileen Grady,
By her attorneys,

Defendants Wareham Police Department, Town
Of Wareham, Thomas Joyce, and Michael J.
Hartman,
By their attorneys,

/s/ Barbara A. Robb

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Dated: September 20, 2005

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